UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GERALD DUGGAN,

Defendant.

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Case No. 11-CR-20325
HON. GEORGE CARAM STEEH

ORDER DENYING ISSUANCE OF CERTIFICATE OF APPEALABILITY

The court on this date denied federal defendant Gerald Duggan's *pro se* motion brought under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence. Under Fed. R. App. P. 22, an appeal may not proceed absent a certificate of appealability (COA) issued under 28 U.S.C. § 2253. A COA may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court finds no substantial showing of the denial of a constitutional right was made by Duggan in these proceedings, and accordingly **DENIES** the issuance of a certificate of appealability.

IT IS SO ORDERED.

Dated: May 30, 2013

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on May 30, 2013, by electronic and/or ordinary mail and also on Gerald Duggan #45491-039, FCI Beaumont Low, P.O. Box 26020, Beaumont, TX 77720.

s/Marcia Beauchemin
Deputy Clerk